REMARKS

Claim 1-13 are pending in this application. Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,787,402 (Potter). In light of the remarks below, Applicants respectfully submit that each of the pending claims is in condition for allowance. Applicants hereby request reconsideration of withdrawal of the pending rejections.

Paragraph 2 of the final Office Action rejects claims 1 through 13 under 35 U.S.C § 102(b) as being anticipated by Potter. Applicants respectfully request reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Independent claims 1 and 6 explicitly recite receiving a bulk file from a customer containing a plurality of funds transfer transactions and grouping the funds transfer transactions into fund transfer transactions requiring a foreign exchange operation and those that do not require a foreign exchange operation.

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The Final Office Action asserts that the above limitation is disclosed in column 5 of Potter. Specifically, the Final Office Action asserts that "The FX Order Server provides for varying degrees of automatic and manual leave orders and uses the Rate Server to track and match a leave order's desired rate." Potter column 5, lines 15-20. However, this does not mean that the system in Potter is able to group or separate the orders requiring foreign exchange from the orders not requiring foreign exchange. [1]

The incoming orders in the Potter system are only a single type of order. The Payment Order Server receives the payment orders and breaks them down into their individual components before forwarding the FX trade components to the FX trade server for execution. The Payment Order Server has to "break incoming payment orders down into their individual components" because the money orders are received in either Society for Worldwide Interbank Financial Telecommunications (SWIFT) format or directly from the Batch File Transfer Server. The Payment Order Server breaks down these files into the individual requested transactions by removing the transaction data from the other information in the SWIFT format transmission.

The incoming orders are all initiated by a client. A <u>single application</u> is initiated by the client, such as the FX Trade, Money Market, FX Order, or Payment Order application. The application is initiated by selecting the appropriate program group. See column 5, lines 60-63; Fig. 1. The user is only able to select only <u>a single application</u> in which orders can be entered. As such, all of the orders entered

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[1]   It should be noted that the grouping of the funds transfers into those that require a foreign exchange operation and those that do not is the same as separating the transactions that requiring foreign exchange from the transactions not requiring foreign exchange.

will be of the same type, i.e., requiring foreign exchange or not . Therefore, there is no requirement in Potter; and therefore, no ability to group fund transfer transactions requiring a foreign exchange operation and those fund transfer transactions that do not require a foreign exchange operation. Thus, contrary to the position taken in the Advisory action, Potter does not inherently disclose grouping transactions requiring a foreign exchange operation and those that do not.

Because Potter fails to disclose separating the transactions into those requiring foreign exchange operations and those that do not, the pending claims are allowable over the cited references. Accordingly, reconsideration and allowance of the claims is earnestly solicited.

Applicant has responded to all of the rejections and objections recited in the Office reconsideration and Notice of Allowance for all of the pending claims is therefore respectfully requested. It is asserted that the present response places the application in a form for allowance.
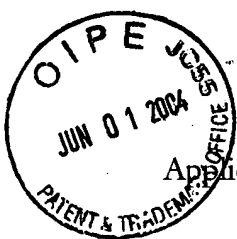
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If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

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